

The Leesburg Planning Commission met on Thursday March 6, 2003 in the Council Chambers at 25 West Market Street, Leesburg, Virginia. Staff members present for the meeting were Susan Swift, Brian Boucher, Randy Hodgson, Nancy Kitchens, Nick Colonna and Anne Marie Eaton.

CALL TO ORDER:

The meeting was called to order at 7:00 p.m.

ROLL CALL:

Present: Chairman Vaughn
 Commissioner Kennedy
 Vice-Chairman Clem
 Commissioner Bangert
 Commissioner Werner
 Commissioner Hoovler
 Mayor Umstattd

Absent: Commissioner Dube

ADOPTION OF THE MINUTES

Commissioner Kennedy made a motion to approve the minutes of February 6, 2003.

Motion: Kennedy

Second: Clem

Carried: 5-0-2(Commissioner Werner arrived late, Cliff Vaughn abstained).

Commissioner Kennedy made a motion to approve the minutes of February 20, 2003

Motion: Kennedy

Second: Clem

Carried: 6-0-1

REMARKS BY PETITIONERS

Chairman Vaughn stated anyone who would like to come forward to speak to please sign up.

PUBLIC HEARINGS:

ZOAM 03-01 and ZM 03-01 Flood Protection/Creek Valley Buffer

Brian Boucher gave a brief overview of these two applications.

Mr. Boucher showed the Commission and the audience an overview of his applications by Power Point. He stated that they are looking at two items tonight. He stated the reason these were pulled out of the adoption of the Zoning Ordinance is at the time these will require re-mapping the official zoning map. He stated the two things we are looking at tonight involves the flood protection district (F-1 Zoning district) and the Creek Valley buffer district.

Mr. Boucher stated that there are a 73 parcels that are affected by this. He stated they are either all or partially zoned F-1. He stated a lot of these lots are split zoned part B-1 or part R-4 and the rest is F-1. He stated they want to make it zoned all one district. He stated if there is a lot that is part B-2 and F-1 they want to make all B-2.

Chairman Vaughn asked the commissioners if they had any questions?

Chairman Vaughn asked Mr. Boucher if would this have much of an impact in the non-residential area. He asked where will it have an impact?

Mr. Boucher stated in the un-development areas of town in the southside.

Mr. Boucher stated in areas of town where the houses are already sitting within this buffer area they wrote exemptions in to it so it should not have a practical impact on those properties. He stated in cases where people have not gotten around to building their decks if they did not have the exemptions than it could cause a situation where they could not have a deck even though their neighbors already have one.

Chairman Vaughn asked Mr. Boucher what if he lived adjacent to this setback and he wanted to build a deck, would he have to do anything in tomorrow's world relative to building that deck other than what he would of done today or yesterday.

Mr. Boucher stated no, you would still have to just get a zoning permit.

Chairman Vaughn asked to move this to the public hearing.

The following persons came forward to speak.

Mr. Mike Boyle of 121 Meherrin Terrance SW came forward and stated he is part of a development called Drymill. He stated they are still under development and asked when the house's near the creek are finished will they still be able to build decks?

Mr. Boucher answered yes.

Mr. Boyle asked on behalf of some of his neighbors they have issues with flood insurance. He asked if it is now considered out of the floodplain?

Mr. Boucher stated it should not be considered a floodplain.

Mr. Michael Drews of 1004 Rollins Dr. SW stated in the floodplain adjacent to the property there are utilities such as a telephone junction box, which has been regularly submerged and was replaced about a year ago. He wanted to know if they would move this away from the stream bed.

Mr. Boucher depending on the utility, he stated they could not make anybody move it. He stated they can protect this from happening again.

Mr. Drews stated there was a very large patch of Bambo. He wanted to know if the town would do anything about controlling the growth.

Chairman Vaughn asked Ms. Susan Swift if this was something the town could look into?

Ms. Swift stated she would look into it and inform the appropriate people or department.

Mr. Stephen Mustin of 611 Beauregard Drive S.E. the bridge near his property floods quite a bit. He asked what would this do about management of the vegetation in this case.

Mr. Boucher stated in this ordinance there is nothing that would prevent you from planting trees.

Mr. Mustin stated the bridge that floods all the time is a dangerous situation and must be addressed at some time.

Dr. Amacher of 706 Brigider Court came forward and stated he hates the bridge as well. He stated between three or four residences and his cul-de-sac they have the house the flood plain; Tuscarora Creek and immediately beyond that they have the WO&D trail. He asked if this will have any affect on the WO&D trail?

Mr. Boucher stated this will have no impact on the trail.

Ms. Ingrid S. Summa of 110 Governors Drive S.W. came forward and asked what affect does this have on the commercial property behind her house. She stated the golf course is behind her house and wants to know if they will be able to expand the golf course closer to the rear of her property.

Mr. Boucher stated this will impose a set back on them that they will have to respect. He stated they will not be allowed to build anything closer to the residential property.

Chairman Vaughn closed the public hearing he stated this application will remain open for the next 10 days. He stated anyone who has questions regarding this application to please contact the staff.

Chairman Vaughn opened the next public hearing.

DCSM Amendments

Mr. Aref Etemadi came forward and explained the changes to the DCSM. He stated most of the changes are minor.

Mr. Etemadi asked if there were any questions?

Chairman Vaughn asked if anyone wanted to come forward and speak.

Chairman Vaughn closed the public hearing since no one came forward to speak. He stated they particularly leave the item open for ten days. He stated he will entertain a motion to move beyond the ten days if that is what the commission agrees to do.

Commissioner Kennedy moved the commission dispense with the 10 days and go ahead and vote on the matter this evening.

Vice-Chairman Clem seconded.

Motion: Approved, vote 6-0-1

Chairman Vaughn asked for a motion to approve the DCSM modifications.

Commissioner Kennedy moved to approve the changes to the DCSM presented to the Commission and dated March 6th, 2003

Vice-Chairman Clem seconded.

Motion: Approved, vote 6-0-1

Subdivision and Land Development

Goddard Day Care Preliminary/Final Development Plan –Nick Colonna, Senior Planner

Mr. Colonna came forward and gave a presentation on the above application. He stated the proposal is for an 8,000 square foot day care center. He stated there was a question that did arise at the briefing regarding the landscaping. He stated along the play area there are several Crab-Apple trees. He stated those trees will be removed and changed to Red-Bud.

Mr. Mike Forsten the owner/applicant came forward to answer questions.

Chairman Vaughn asked for a motion.

Vice-Chairman Clem made a motion to conditionally approve the preliminary final development plan for the Goddard Day Care subject to satisfactory completion of the outstanding issues.

Commissioner Kennedy seconded.

Motion: Approved, vote 7-0-1 Lyle Werner arrived at 7:50 p.m.

Comprehensive Planning

Leesburg Brewing Company- Randy Hodgson, Chief of Comprehensive Planning.

Mr. Hodgson came forward and stated he recommends approval to the SE 2002-10 Leesburg Brewing Company subject to the 5 conditions that were listed in the staff report. He stated minus item number 3 condition that involves only brewing the beer during morning and afternoon hours.

Chairman Vaughn asked the applicant's representative Mr. Beck Dickerson if he would like to come forward and address any of the conditions.

Mr. Dickerson stated if anyone had any questions he would come forward and answer them .

They're being no questions, Chairman Vaughn asked for a motion.

Commissioner Kennedy moved for approval of SE 2002-10 Leesburg Brewing Company subject to the conditions outlined below; with condition number 3 scratched.

Commissioner Werner seconded.

Motion: Approved, vote 7-0-1

South Street Day Care Center at the Park, 818 S. King Street-Special Exception Nancy Kitchens, Senior Planner (**Preview**)

Ms. Kitchens came forward and gave a brief presentation on the above application. She stated she had met with the applicant regarding the comments and they are making plans to revise the plans. She showed the landscape and lighting plan to the commission. She stated staff has already referred the comments to the various referral agencies.

Ms. Kimberly Walsh Cummings, Land Design Planner from Walsh, Colucci, was present representing the applicant Mr. Tom Chamberlain.

Ms. Cummings stated they are working on the plans along with the applicant and the staff.

Commissioner Bangert asked about the ramp VDOT was planning on changing.

Ms. Kitchens stated she would have to talk to Calvin Grow, the Traffic Engineer regarding traffic questions.

Commissioner Hoovler stated he has concerns about the amount of traffic. He stated a light might be a good thing.

Ms. Kitchens stated she will inform the traffic engineer to these traffic concerns and questions.

Mayor Umstattd stated this would be a good location to have a commuter lot.

This being a briefing there was no motion.

Council Representatives Report

Mayor Umstattd stated Mr. Calvin Grow, the traffic engineer and she went down and testified at the Commonwealth Transportation Board Pre-allocations hearings today.

Staff Committee Reports

Commissioner Werner stated she attended a Traffic Committee meeting. She stated they are working on the items submitted to the budget. She went over what was discussed at the meeting. She stated they are working on the trouble spots around town.

Commissioner Kennedy stated the meeting of the EDC scheduled for the 28 was cancelled. He stated the Ad-Hoc- UGA meeting did meet on the 28th details where sent via e-mail.

Ms. Susan Swift gave a brief overview regarding the Retreat scheduled for Saturday March 8th.

Ms. Swift stated Mr. Mike Freda, from the finance department would like to attend the March, 20th Planning Commission hearing to go over the budget. She stated each commissioners e-mail address could be listed on the Town's web site. She stated if each commissioner would like they can have their e-mail listed and people can e-mail them directly without going through staff.

Old Business None

Chairman Vaughn asked for a motion to adjourn.

Commissioner Kennedy made a motion to adjourn.

Commissioner Bangert seconded.

Meeting adjourned 8:20 p.m.

Cliff Vaughn, Chairman

Anne M. Eaton, Recording Clerk